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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/291,316	04/14/1999	HYUN-SEOK LEE	678-258(P871	1934

7590

04/17/2003

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EXAMINER

ABELSON, RONALD B

ART UNIT

PAPER NUMBER

2666

8

DATE MAILED: 04/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/291,316

Applicant(s)

LEE ET AL.

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-21 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 9 is/are rejected.
- 7) ☐ Claim(s) 4, 7, 8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 1999 and 10 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Claim Rejections - 35 USC § 103

1. Claims 1-3, 5-6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art, and further in view of LaDue (US 6,185,198) and Marth (US 5,713,072).

Regarding claim 1, the applicant's admitted prior art teaches a method for transmitting user data in a mobile communications system having at least one state transition (fig. 1, pg. 4 lines 8-18), at least one state transition including transitioning from an active state where user data is transmitted via a dedicated channel to a control hold state when user data is not generated for a predefined time in the active state (fig. 1 box 140, 130, pg. 4 line 19 - pg. 5 line 3) to transmit only control information via a dedicated control channel (releasing the dedicated traffic channel, pg. 4 line 19 - pg. 5 line 3). In addition, the prior art teaches releasing the dedicated control channel and transitioning to a suspended state when the user data to be transmitted is not generated for a second predefined time in the control hold state (thold, fig. 1 box 130, 150, pg. 5 lines 4 - 13).

The applicant's admitted prior art is silent on the process transmitting data via a common control channel.

LaDue teaches determining a parameter value / length of the message and comparing the parameter value with a predefined reference value / eight 48-bit words (fig. 4, col. 21 line 59 - col. 22 line 2). In addition LaDue teaches transmitting the user data via a common channel when the parameter value is less than the predefined reference value (RECC reverse control channel, col. 21 line 59 - col. 22 line 2). Note, LaDue teaches, "If longer text messages are to be sent then multiple sequential bursts of addition packets may be used" (col. 21 lines 64-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both the applicant's admitted prior art and LaDue before him/her and with the teachings [a] as shown by the applicant's admitted prior art, a method for data transmission in a mobile communication system comprising active control, suspended and dormant states, and [b] as shown by LaDue, determining a parameter value / length of the message, comparing the parameter value with a predefined reference value / eight 48-bit words, and transmitting the user data via a common channel when the parameter value is less than the predefined reference value, to be motivated to modify the system of the applicant's admitted prior art by modifying the system to

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transmit burst data over the RECC channel. The data would be transmitted over the RECC. This modification could be performed in software. This would improve the system by providing a proven technique for transmitting burst data.

The combination of AAPA and LaDue is silent on the user data to be transmitted being generated in a suspended state.

Marth teaches transmitting data via the RECC (fig. 20B box 143, col. 20 lines 35-37) when the data is generated (fig. 20B box 146, col. 20 lines 42-45) in a suspended state (fig. 20A box 137, col. 20 lines 18-19).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of AAPA and LaDue and Marth before him/her and with the teachings [a] as shown by the combination of AAPA and LaDue, a method for data transmission in a mobile communication system comprising active control, suspended and dormant states, determining a parameter value / length of the message, comparing the parameter value with a predefined reference value / eight 48-bit words, and transmitting the user data via a common channel when the parameter value is less than the predefined reference value, and [b] as shown by Marth, transmitting data via the RECC when the data is generated in a suspended state, to be motivated to modify the system of the combination of AAPA and LaDue by

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remaining in the suspended state while burst data is generated. This modification can be performed in software. This would improve the system by conserving power.

Regarding claim 2, transitioning to the active state to transmit data (spec: pg. 5 lines 4 - 13).

Regarding claim 3, the parameter value is a length of user data (LaDue: col. 21 lines 64-65).

Regarding claims 5 and 6, the suspended state is a slotted substrate (applicant: fig. 2 box 156) or virtual traffic substrate (applicant: fig. 2 box 153).

Regarding claim 9, the common channel is an access channel. As previously stated in claim 1, the access channel is the RECC. It is well known in the art that the RECC is used for sending access messages. For documentation see Sawyer (US 6,134,438: col. 8 line 47-48).

Response to Arguments

2. Applicant's arguments regarding claims 1-3, 5-6, and 9 filed on 2/10/2003 have been fully considered but they are not persuasive. For clarification, the examiner has updated the rejected to claim 1 by including Marth. The reference was

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included to explicitly show that the data being generated in a suspended mode that will be transmitted via the RECC.

Regarding claim 1, the applicant states LaDue fails to teach transmission of data via a common channel in a suspended state (applicant: pg. 2 lines 10-11). However, this feature is not claimed. In contrast claim 1 states, "the user data to be transmitted is 'generated' in a suspended state." As previously stated in the prior office action LaDue teaches transmission of data using the reverse control channel (RECC). Furthermore, it is well known to transmit data via the RECC when the data is generated in a suspended state (Marth: col. 20 lines 18-20, 35-39). Therefore, the examiner maintains that the combination of AAPA, LaDue, and Marth teaches "determining a parameter value specifying an attribute of the generated user data and comparing the parameter value with a predefined reference value when the user data to be transmitted is generated in a suspended state" and "transmitting the user data via a common channel when the parameter value is lower than the predefined reference value." The applicant argues that these limitations were not met in the prior office action (applicant: pg. 2 lines 12-15).

Allowable Subject Matter

3. Claims 11-21 are allowed.

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4. Claim 4, 7, 8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter.

Regarding claim 4, nothing in the prior art teaches or fairly suggests a generation frequency, in combination with the other limitations listed in the claim.

Regarding claims 7 and 8, nothing in the prior art teaches or fairly suggests a burst substrate, in combination with the other limitations listed in the claims.

Regarding claim 10, nothing in the prior art teaches or fairly suggests a paging channel, in combination with the other limitations listed in the claim.

Regarding claim 11, nothing in the prior art of the record teaches or fairly suggests transitioning from an active state to a control hold state to receive only control information via a dedicated control channel, in combination with the other limitations listed in the claim.

Regarding claim 16 and 18, nothing in the prior art teaches or fairly suggests transitioning to second suspended state when the user data generated is shorter in length than a reference

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value, in combination with the other limitations listed in the claim. LaDue, in contrast, teaches if longer text message are required then multiple sequential bursts may be used (col. 21 lines 59 - 67).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.


Ronald Abelson
Examiner
Art Unit 2666

April 10, 2003



DANGTON
PATENT EXAMINER